



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

January 13, 2015

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:03 p.m. in the Bartholomew Room.

Council Members Present: Debbie Goettel, Mayor; Michael Howard; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Jim Topitzhofer, Recreation Services Director; Kristin Asher, Assistant Public Works Director; Jeff Pearson, Transportation Engineer; and Cheryl Krumholz, Executive Coordinator.

Item # 1	DISCUSSION REGARDING 66TH STREET INTERSECTIONS
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Public Works Director Eastling, Assistant Public Works Director/City Engineer Asher and Transportation Engineer Pearson discussed the performance of proposed roundabouts along the 66th Street Corridor in comparison to signalized intersections.

The Mayor expressed concern regarding pedestrian safety at roundabouts.

Community Development Director Stark discussed the retail business access and visibility aspects related to roundabouts and study findings from a review by SEH consultants which were positive for roundabouts.

Public Works Director Eastling stated that the recommendation is for roundabouts as the safest and first approach to intersections for the 66th Street Corridor.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:57 p.m.

Date Approved: January 27, 2015

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

January 13, 2015

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:03 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Michael Howard; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Jay Henthorne, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Pam Dmytrenko, Assistant City Manager/HR Manager; Chris Regis, Finance Manager; Betsy Osborn, Support Services Supervisor; Jeff Pearson, Transportation Engineer; Elizabeth VanHoose, City Clerk; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OATH OF OFFICE TO RICHFIELD MAYOR DEBBIE GOETTEL

City Clerk VanHoose administered the oath of office.

OATH OF OFFICE TO RICHFIELD CITY COUNCIL MEMBER AT-LARGE MICHAEL HOWARD

City Clerk VanHoose administered the oath of office.

OPEN FORUM

Bob Shotwell, 7333 Upton Avenue, discussed the 70th anniversary of Mt. Serabatchi.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Garcia, S/Elliott to approve the minutes of the (1) Special City Council Closed Executive Session of December 9, 2014; (2) Special City Council Worksession of December 9, 2014; (3)

Regular City Council Meeting of December 9, 2014; and (4) Special City Council Meeting of December 15, 2014.

Motion carried 5-0.

Item #1	INTRODUCTION OF RECENTLY PROMOTED RICHFIELD DEPUTY DIRECTOR OF PUBLIC SAFETY/DEPUTY POLICE CHIEF MIKE KOOB
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Public Safety Director Henthorne introduced Deputy Chief Koob.

Item #2	INTRODUCTION OF RECENTLY PROMOTED RICHFIELD POLICE LIEUTENANT JOE GRIFFIN
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Public Safety Director Henthorne introduced Lieutenant Griffin.

Item #3	SWEARING-IN OF RICHFIELD POLICE OFFICER TIANNA HADJIYIANNIS
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Public Safety Director administered the swearing-in of Officer Hadjiyiannis.

Item #4	COUNCIL DISCUSSION <ul style="list-style-type: none">Hats Off to Hometown Hits
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Council Member Fitzhenry reported on the Noise Oversight Committee.

Mayor Goettel discussed the ticketing/towing of vehicles related to the most recent snow event.

Mayor Goettel asked the City Council to join her in support of the south transit rail line.

Item #5	COUNCIL APPROVAL OF AGENDA
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Council Member Elliott requested the agenda be amended to include a City Council vote to reconsider the City Council action taken on December 9, 2014 approving the resolution supporting the 4B design concept on 66th Street from Penn Avenue to I-35W only.

Mayor Goettel stated the agenda would be amended to include this item as #7B.

Council Member Elliott clarified his understanding that this is a procedural step asking the City Council to allow a majority vote to revisit the 4B design concept.

City Attorney Tietjen explained that the City Council follows the Sturgis Rules of Procedure and explained the process for amending the agenda.

Ms. Tietjen continued that the motion before the City Council would be to rescind or repeal the prior City Council action on December 9 related to the approval of the 4B design concept. If that motion is approved tonight, then the design concept would be up for discussion and a new vote.

M/Elliott, S/Goettel to amend the agenda to add Item 7B.

Motion carried 3-2. (Garcia and Fitzhenry oppose)

Item #6	CONSENT CALENDAR
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- A. Consideration of the approval of resolutions designating official depositories for the City of Richfield for 2015, including the approval of collateral. S.R. No. 1

RESOLUTION NO. 11034

RESOLUTION DESIGNATING U.S. BANK
A DEPOSITORY OF FUNDS OF THE CITY OF RICHFIELD
FOR THE YEAR 2015

This resolution appears as Resolution No. 11034.

RESOLUTION NO. 11035

RESOLUTION DESIGNATING CERTAIN FINANCIAL
INSTITUTIONS AS DEPOSITORIES FOR THE INVESTMENT OF
CITY OF RICHFIELD FUNDS IN 2015

This resolution appears as Resolution No. 11035.

RESOLUTION NO. 11036

RESOLUTION DESIGNATING CERTAIN SAVING AND LOAN ASSOCIATIONS,
BANKS AND CREDIT UNIONS AS DEPOSITORIES FOR THE DEPOSIT AND
INVESTMENT OF CITY FUNDS IN 2015

This resolution appears as Resolution No. 11036.

- B. Consideration of the approval of a resolution authorizing the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City. S.R. No. 2

RESOLUTION NO. 11037

RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS BY CITY EMPLOYEES
OTHERWISE AUTHORIZED TO MAKE PURCHASES ON BEHALF OF THE CITY OF
RICHFIELD
FOR THE YEAR 2015

This resolution appears as Resolution No. 11037.

- C. Consideration of the approval of a designation of an Acting City Manager for 2015. S.R. No. 3
D. Consideration of the approval of a resolution designating an official newspaper for 2015. S.R. No. 4

RESOLUTION NO. 11038

RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER FOR 2015

This resolution appears as Resolution No. 11038.

- E. Consideration of the approval of a resolution granting a subdivision waiver, allowing the division of 6325 Girard Avenue (a 120-foot wide lot) into a 105-foot lot and a 15-foot remnant which will be combined with the adjacent 40-foot wide property to the north (6319 Girard Avenue), creating a 55-foot wide lot. S.R. No. 5

RESOLUTION NO. 11039

RESOLUTION AUTHORIZING A SUBDIVISION WAIVER 6325 GIRARD AVENUE

This resolution appears as Resolution No. 11039.

- F. Consideration of the approval of Visual Quality Guidelines for road reconstruction projects as recommended by the Community Services and Transportation Commissions. S.R. No. 6
- G. Consideration of the approval of ratification of Change Order 2 in the amount of \$99,592.00 and Change Order 3 in the amount of \$30,288.00 to Belair Builders, Inc. for the Taft Lake/Legion Lake Water Quality Improvement Project. S.R. No. 7

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 5-0.

Item #7.	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item 7B.

M/Elliott, S/Goettel to rescind or revoke the City Council action on December 9, 2014 relative to the implementation of concept design 4B on 66th Street from Penn Avenue to I-35W only.

Council Member Elliott stated his intent is not to undermine the vote of former Council Member Sandahl but rather to provide newly-elected Council Member Howard an opportunity to address this issue.

Council Member Garcia stated she believed this was disrespectful to Council Member Sandahl, the Transportation Commission and the overall process. She stated she was confident the December 9 decision was the right one for the right reason and is best for the Richfield community.

Mayor Goettel stated the December 9 vote was not unanimous and that the Transportation Commission considered specifics but the City Council considers beyond specifics and does not always agree with commission recommendations.

Council Member Howard agreed that the decision on 66th Street is significant and respected Council Member Elliott for bringing it forward. He asked for clarification from the City Attorney regarding a yes or no vote on the motion.

City Attorney Tietjen explained a yes vote is support of the motion to rescind the prior City Council action on December 9, 2014 and a no vote is not supporting the motion to rescind.

Council Member Howard stated he has followed the 66th Street issue closely and respects the process. The current 66th Street is obsolete and unsafe and needs fixing. The low impact is not workable and does not address the safety issues and could result in more property intervention. He continued that the approved 4B design is the better option to make 66th Street safer for vehicles and pedestrians but it is not perfect because of the taking of 18 homes. He

expressed support for the 4B option because the project needs to move forward and it is unfair to keep the impacted properties in limbo. He stated he would vote no to rescind the previous action.

Council Member Fitzhenry expressed concern that there was a lack of notice to the public regarding the rescinding and also that the funding from Hennepin County may move to another project if it does not continue to move forward. He stated he would not support rescinding the previous action.

Council Member Elliott stated that he discussed the issue of rescinding the prior vote with the City Attorney and to inform the City Manager

City Manager Devich explained that he is not in a position to put this type of item on the agenda and that it is a decision the City Council must make.

Mayor Goettel stated that the City Manager was aware of the discussion but to place it on the agenda, it has to go through her and the City Council.

Motion failed 2-3. (Garcia, Howard and Fitzhenry oppose)

Item #8	PUBLIC HEARING FOR THE CONSIDERATION OF THE ISSUANCE OF A NEW ON SALE WINE LICENSE FOR DAVANNI'S, INC. D/B/A DAVANNI'S PIZZA AND HOT HOAGIES, 6345 PENN AVENUE SOUTH S.R. 8
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Council Member Howard presented Staff Report No. 8.

M/Elliott, S/Fitzhenry to close the public hearing.

Motion carried 5-0.

M/Howard, S/Goettel to approve the issuance of a new on sale wine license for Davanni's, Inc., d/b/a Davanni's Pizza and Hot Hoagies, 6345 Penn Avenue South.

Motion carried 5-0.

Item #9	CONSIDERATION OF THE SECOND READING OF AN AMENDMENT TO THE CITY'S ZONING ORDINANCE AND A RESOLUTION APPROVING SUMMARY PUBLICATION OF SAID ORDINANCE. THE PROPOSED AMENDMENT WILL CLARIFY AND ENHANCE REGULATIONS RELATED TO USES WITH DRIVE-UP WINDOWS OR TELLER SERVICE IN THE MIXED USE DISTRICT S.R .NO. 9
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Council Member Fitzhenry presented Staff Report No. 9.

M/Fitzhenry, S/Howard that this constitutes the second reading of Bill No. 2015-1, amending Subsection 537.05, Subdivision 5 and Subsection 541.21, Subdivision 3 of the Richfield City Code related to uses with drive-up window or teller service in the Mixed Use Districts, that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11040

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE AMENDING
SUBSECTION 537.05, SUBDIVISION 5 AND SUBSECTION 541.21, SUBDIVISION 3
RELATED TO USES WITH DRIVE-UP WINDOW OR TELLER SERVICE IN THE
MIXED USE DISTRICTS

Motion carried 5-0. This resolution appears as Resolution No. 11040.

Item #10	CONSIDERATION OF THE SECOND READING OF AN AMENDMENT TO THE CITY'S ZONING ORDINANCE AND A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF SAID ORDINANCE. THE PROPOSED ORDINANCE WOULD AMEND THE WAY IN WHICH THE CITY ADMINISTERS ODOR CONTROL REQUIREMENTS FOR COMMERCIAL KITCHENS S.R. NO. 10
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Council Member Elliott presented Staff Report No 10.

M/Elliott, S/Goettel that this constitutes the second reading of Bill No. 2015-2, amending Subsection 544.27 of the Richfield City Code related to commercial kitchen odor control, that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11041

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE AMENDING SUBSECTION 544.27 RELATED TO COMMERCIAL KITCHEN ODOR CONTROL

Motion carried 5-0. This resolution appears as Resolution No. 11041.

Item 11	DISCIPLINARY HEARING AND CONSIDERATION OF A RESOLUTION REGARDING CIVIL ENFORCEMENT FOR MI AMA MEXICAN GROCERY & RESTAURANT, 813 E. 66TH ST., THAT RECENTLY UNDERWENT TOBACCO COMPLIANCE CHECKS CONDUCTED BY RICHFIELD PUBLIC SAFETY STAFF AND FAILED BY SELLING TOBACCO TO UNDERAGE YOUTH S.R. NO. 11
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Council Member Garcia presented Staff Report No. 11.

A representative from the restaurant was not present.

City Attorney Tietjen stated that failure to appear is admitting to the violation occurred and stipulating to the suspension and penalty.

M/Garcia, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11042

RESOLUTION SUSPENDING THE TOBACCO LICENSE FOR MI AMA MEXICAN GROCERY & RESTAURANT, 813 E. 66TH ST., AND IMPOSING A CIVIL PENALTY FOR SECOND TIME TOBACCO COMPLIANCE FAILURE

Motion carried 5-0. This resolution appears as Resolution No. 11042.

Item 12	CONSIDERATION OF DESIGNATING REPRESENTATIVES TO SERVE AS THE 2015 LIAISONS TO VARIOUS METROPOLITAN AGENCIES AND CITY COMMISSIONS S.R. NO. 12
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Mayor Goettel presented Staff Report No 12.

M/Goettel, S/Garcia to designate the Council liaison appointments to various metropolitan agencies and city advisory commissions for 2015.

Motion carried 5-0.

Item 13	DISCUSSION REGARDING CITY COUNCIL ATTENDANCE AT THE 2015 NATIONAL LEAGUE OF CITIES (NLC) CONFERENCES S.R. NO. 13
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Mayor Goettel presented Staff Report No. 13.

M/Goettel, S/Elliott to designate Mayor Debbie Goettel to attend the 2015 National League of Cities Conferences.

Motion carried 5-0.

Item #14	CONSIDERATION OF THE DESIGNATION OF A MAYOR PRO TEMPORE FOR 2015 S.R. NO. 14
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Mayor Goettel presented Staff Report No. 14

M/Goettel S/Elliott to designate Council Member Edwina Garcia as Mayor Pro Tempore for 2015.

Motion carried 5-0.

Item #15	CONSIDERATION OF THE CITY COUNCIL'S AFFIRMATION OF THE MAYOR'S APPOINTMENT OF AN HRA COMMISSIONER S.R. NO. 15
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Mayor Goettel presented Staff Report No. 15.

M/Goettel, S/Fitzhenry to affirm the Mayor's appointment of Council Member Pat Elliott as an HRA Commission with a term ending January 13, 2019.

Motion carried 5-0.

Item #16	CITY MANAGER'S REPORT
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None.

Item #17	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Elliott that the following claims and payrolls be approved:

U.S. Bank		12/23/14
A/P Checks: 236915-237285	\$	1,129,906.86
Payroll: 106669-106990 42418-42420	\$	574,703.39
TOTAL	\$	1,704,610.25

U.S. Bank		01/13/15
A/P Checks: 237286-237628	\$	1,415,927.55
Payroll: 106991-107303 42421-42422	\$	530,874.03
TOTAL	\$	1,946,801.58

Motion carried 5-0.

OPEN FORUM

None.

ADJOURNMENT

The City Council open meeting was adjourned by unanimous consent at 8:28 p.m.

Date Approved: January 27, 2015

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager